

Previous references.

1905-7

File No. 215-04

(h. m. m. p. l.)

Serial Nos. 1-6

Later references.

ML 507-06 (1-4)

Impl. 273-09

ML 125-15 & 1-4 B. Aug. 1916.

GENERAL AND REVENUE SECRETARIAT

Serial Nos. 146

Part B. for October 1915

SUBJECT.

Transfer of land of the areas of the Rythu
Caf - is are now being printed under the h. m. p. l.
Improvement Rep. from the Control of the main.
Pm = that of the Trust B. l.

FILE No. ML 205 of 1904-05.

Transfer of such of the areas of the Mysore City as are now being operated under the Mysore City Improvement Regulation from the control of the Municipal Commission to that of the Trust Board.

- 1 From the Chairman, Mysore City, City Trust Board, No. 150, dated 1st October 1904
Solicits that a notification may be caused to be issued vesting such of the areas of the Mysore City as are now being operated under the Mysore City Improvement Regulation, under the control of the City Improvement Trust Board.
- 2 To the President, Municipal Commission, Mysore City, No. 4154, dated 19th November 1904.
Forwards a copy of the above with a request to place the matter before the Board and submit a copy of their resolution with a report as to the conditions on which the locality referred to may be vested in the control of the Trust Board.
- 3 From the President, Municipal Commission, Mysore City, No. 115, dated 4th January 1905.
Submits a copy of the resolution of the Board requesting that a copy of the resolution of the Trust Board upon which the Chairman's letter (Serial No. 1) is based may be obtained and forwarded as the latter is not quite clear.
- 4 From the Secretary, General and Revenue Department, No. 7520, dated 27th February 1905.
Requests the President to obtain the required information from the Chairman and submit the report called for.
- 5 From the same, No. 1, dated 4th July 1905.
Submits a copy of the Board's resolution stating that the areas now under the operation of the Trust Board be vested in the said Board, it being incumbent on them to maintain the roads in good condition during the period of their operation.
- 6 To the Chairman, Mysore City Trust Board, the President, Municipal Commission, Mysore City, and the Comptroller, No. 3845-7, dated 15th October 1905.
Sanctions the transfer of the localities above referred to to the Trust Board, under Section 24 of the Mysore City Improvement Regulation, III of 1903, and states that the Municipal Commissioners are not divested of their functions except to the extent expressly laid down in the said Regulation in the areas in question during the time the transfer continues to be in force, that the proper maintenance of roads in any area under the operation of the Trust Board is not one of the purposes of the said Regulation and that, as a matter of convenience, however, the Trust Board may maintain the roads referred to, but the Municipal Commissioners cannot be exonerated from paying the cost of their maintenance.

GENERAL AND REVENUE SECRETARIAT.

(Municipal)

NOTES.

File No. 205

FILE HEADING.

Transfer of such of the areas of the Mysore City as are being open dealt with under the City of Mysore Improvement Regulation from the Control of the Municipal Council to that of the Board of Trustees for the Improvement of the City of Mysore.

From

The Chairman of the Trust Board

No. 150 Dated 1.10.04 Received 4.10.04

Diary No. 23/4

Enclos.

Spare Copies.

Serial No. 1

BRIEF ABSTRACT OF LETTER.

Requests that a notification may be caused to be issued vesting the undermentioned areas of the Mysore City which are being dealt with under the City of Mysore Improvement Regulation under the control of the Trust Board.

1. No. I Drainage area. 2. Nagarbad Kothalla.
3. Higege, 4. Idga Extension 5. Jalapuri Extension
6. No. II Drainage area.

NOTES AND ORDERS.

The projects for improving the first five areas have been sanctioned and the project for the last is said to be ready for submission to Government.

2. Sec 2 c, of the City of Mysore Improvement.

received
1/11/04
5.11.04

Serial
No.

Regulation empowers Govern-
ment to transfer to the Board
of Trustees lands belonging to
it or to the Municipal Com-
missioners ~~subject~~ for the
purpose of the said Regulation
and subject to such limitations
and conditions as it may impose.
3. It is submitted for orders as to
whether the opinion of the Municipal Commission
should be called for. Draft put up.
3-11-04

D. Cunningham

5/11/04

4. Submitted to the Dewan Sahib for
orders thro' the 1st Committee

5-11-04

5. Draft app'd. The 2nd and
3rd Board are, I believe, already
practically in charge of
the Commission and the
arrangement sub- the area
in question. C

10/11/04

7-11-04

2. To the President of the Municipal Board, Secunderabad.
7.11.04. No 4154 of the 19th Novr 1904.

Calls for the opinion of the Municipal Board as
to the conditions on which the localities in
question may be vested in the control of the Trust
Board.

Jul File No. 205 of 1904-5

Serial
No. 3

From the President of the Mysore City Municipal Council. No 115 of the 24th January 1905.

States that the Chairman's letter (881) is not clear and requests that a copy of the resolution of the Trust Board on which it is based may be obtained and forwarded for the information and consideration of the Municipal Board.

6. There seems to have been no resolution of the Trust Board on the subject. The Vice-President is on the Trust Board. It is not clear why the President should address the Government to obtain for him a copy of the Trust Board's resolution when he or the Vice-President could have ⁱⁿ ~~conveniently~~ ^{obtained one} ~~obtained one~~ with the Chairman, ^{submitted} for orders.

~~16.2.1905~~ 7. Draft asking the President to obtain the required information from the Chairman & furnish the particulars called for by this office is submitted for approval or other orders.

8. Paper ⁸²³
17/2/05-

4

To the President of the Mysore City Municipal Council.
No. 7520 of 27.2.05. Requests him to obtain the necessary information from the Chairman of the Trust Board & to submit the resolution of the Board regarding the transfer of the area dealt with by the Trust Board from the Council ^{MGCPB-10,000-31-8-04}

Serial
No.

5

of the Municipal Commisssion.

From the President of the Municipal Commis

Hydrabad city. No: 1074-705.

Forwarded a copy of the Board's resolution regarding the conditions under which the localities now under the operation of the Trust Board may be vested in its control.

The Board suggest that the areas operated upon by the Trust Board may be transferred to the latter on condition of the roads being maintained in a good condition during the period of operation of the Trust Board. ~~Resolved~~ ~~forwarded~~ The question is whether

~~the~~ the roads should be maintained ¹⁰⁻⁷⁻⁰⁵ by the Trust Board or the Municipality.

On another reference from the Chairman requesting sanction to the expenditure incurred in repairing certain roads during the late season, the opinion of the Municipal Board has been called for but they are not likely to alter their present resolution.

¹⁰ Sided for orders to the Secretary that the 1st commisioner

11/7/05

13-7-2005

11. please let me see a copy of the 2nd Municipal Regulation of

14-7-1905

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Serial
No.

12. A copy of the City of Mysore Improvement Regulation is put up

15-7-05. For Committee 15/7/05

15/7/05

14. The transfer has to be made for the purposes of the Regulation i.e. to enable the Trust Board to carry on their operations in the areas in question. The

Municipality is not allowed to or their ordinary functions are suspended during the time the transfer continues in force. They can, and will, collect rates & taxes in spite of the transfer. The maintenance of roads is a correlative obligation which I think they must themselves discharge. I cannot see why this should be undertaken by the Trust Board at the cost of Govt. The question is a most important one & depends upon the ^{acts} ~~acts~~

- 'Interpretation of Section 24

6

File No. 205 of 190 C, . 5

Serial
No.

of the Regulation - (May I
have the opinion of the
Sd. Secy Legislative Section
on the subject? H.

15 To the Sd. Secy 17-7-05
17-7-1905

16 Section 24 of Regn. III of 1903
refers to "lands belonging to the Municipal
Commissioners," that is, to municipal
property in land. It has no reference
to the transfer of the Municipal
control over localities comprised within
the limits of the City of Mysore to the Im-
provement Trust, such as, I conceive,
is the object of the reference by the Chair-
man of the Board. Such a transfer
is equivalent to the creation of a new
territorial unit ^{under the Board} at the expense of the Muni-
cipal area, & can only be brought about
by an alteration of the Municipal limits <sup>as
given by</sup>
the Municipal Regulation. It is, moreover,
unnecessary, since there is nothing whatever
in Regulation III of 1903 to prevent the
Board of Directors from carrying out schemes
of improvement in any area under the
control of the Mun. Commr.

File No. 205 of 1904-5

Serial
No.

17 Possibly the chairman ~~refers~~ con-
templates also (though there is no indi-
cation to that effect in his letter of the 18th inst.)
the transfer of lands ^{in the ownership of the M.L. Com.} within the area
under advancement. If these lands
(which Mauds, in that case, have been
specified) are required in order to give
proper effect to improvement schemes
sanctioned by Government, then I
think their transfer to the Board, as some-
thing conducive to the efficient execution
of those schemes, is not beyond the purpose
of the Regulation, & may be ordered
under section 24.

18 The transfer itself ^{ie. of land being legal} being legal,
it is open to Government to annex
thereto any limitation and conditions
that they think called for by the cir-
cumstances.

19. The condition demanded by the Mauds
Commission is, I think, unreasonable.

General and Revenue
Secretariat.

File No. 205 of 1904. 5

Serial
No. 20

; for instance, S. 20.

As pointed out by the District Councillor, the fact of improvement schemes being under execution in a locality does not divest the Commissioners of their ordinary every-day functions, except to the extent expressly laid down in the Regs.; and ~~the~~ as long as they ^{are in the} collect taxes imposed in the locality, they cannot fairly ask that the duty of maintaining ^{therein} the roads be shifted to the shoulders of the Boards of Trustees without expense to themselves.

21. Should, however, the Government be of opinion that the maintenance of the roads by the Board would be more convenient ^{course}, then this, being a matter "not expressly provided for" in the Regulation, can be regulated by Govt. by a rule or direction under S. 38(a); a contribution from M.L. funds being ^{also} ordered, if need be.

It is not a "sanitary question" otherwise it would be dealt with under S. 15(2). It is a matter of revenue and is under S. 38(a).

96
20-7-05

22. To 1st Commissioner Michael Mathias
20/7/05 19.7.05

General and Revenue
Secretariat.

File No. 205 of 1904. 5

Serial
No.

23 The word "lands" in section 24 seems to admit of a wider interpretation than the limited one put upon it by the Dy Sess. However that may be, the Regulation permits of a transfer only for its ^{own} purposes. The proper maintenance of the roads in any ~~from~~ area under the operation of the Trust Board is not one of those purposes. I agree that this is not a "sanitary arrangement" within the meaning of clause (2) of section 15. I am afraid a rule under section 38 (b) will not meet the requirements of the case inasmuch as the purposes of the Regulation are ^{only} "the improvement and future expansion of the city..." and do not include the main - and as case not expressly provided for in the Regula-
- ~~tenance of Roads~~ - As a matter of

"cannot
be a matter
of the Municipal
Regulation
Nicks - Contn. sheet

Serial
No.

convenience however, it
seems desirable that the main-
-tenance of Roads should be
transferred from one agency to
the other. But this cannot
exonerate the former from
liability to pay the reasonable
cost thereof -

24. A transfer for the purpose
of the Regulation "may be
ordered under Section 24, and
the Muzil Board asked to
reconsider their resolution
in regard to the cost of the
maintenance of roads in the
areas concerned. That Board
cannot be superseded in this
respect and compulsory
payment enforced from them
in the fact in the discharge
of the duty devolving upon
them of maintaining their roads in
proper order. Hence the difficulty -
On the one hand,
convenience points to the desira-
- bility of having a single agency,
while on the ~~hand~~ other, the Muzil Board
cannot legally be compelled to do

Serial
No.

29 Draft order is submitted as ordered by the Secy with reference to para 1 of the draft. It is orders are solicited as to whether the issue of a note is necessary. Under Sec 24 of the City of Mysore Draft Regulation it does not seem to be required.

H.B.H. Smg

83

19.9.1905

19/9/05

30 Draft submitted to the Dewan Sahib there the 1st Commissioner
17.9.1905

450
19.9.1905

31 Section 24 does not contain. Plate the issue of a notification. The draft with the slight amendment I have suggested with no objection seems suitable - A.

20/9/05.

12

20/9/05

32 Draft in draft as revised by the Secy

8873

22.9.05

32 Branch to issue

Alter & bring

und 1.10.05

33 Draft dated 3.10.1905

8874

3.10.1905

3.10.1905

Serial
No.

6 35 To the chairman & members.

N^o 3545-7 Q 13-10-05
22(205-4)-6

Order the transfer of the Localities
now under the operation of the Local Board
to the control of the Board under Section
24 of the Mysore City Improvement Regulation

M. 150

D2314 22.F 205-24 ①

Office of the Chairman of the Board of Trustees,
for the Improvement of the City of Mysore,
Dated, Mysore, 1st October 1904.

From

D.Sitaram Rao Esq.,
Chairman of the Board of Trustees,
Mysore City Improvements.

To

B.K.Venkatavarada Iyengar Esq.,
Secretary to the Govt. of H.H. the Maharaja of
Mysore, General & Revenue Departments.

Sir,

I have the honor to report that it is considered desirable to obtain the orders of Government regarding the transfer of such of the areas of the Mysore City as are now being operated under the Mysore City Improvement Regulation from the control of the Municipal Commission to that of the Trust Board. The areas as marginally noted were duly notified under Sec.16(1) of the Improvement Regulation No. III of 1903, and schemes for the first five have already been obtained sanctioned, and a scheme for No. II Drainage area the last in the list is ready for submission, the period allowed after the publication of the Notification having just expired.

I solicit that a Notification may be caused to be issued vesting the areas referred to under the control of the Mysore City Improvement Trust Board.

I have the honor to be,

Sir,

Your most obedient servant,

B.R.

D. Sitaram Rao
Chairman.

Notification of 22nd February 1904.
Mysore City Improvement Trust Board.
No. II Drainage area. — do — 22nd Feb 1904.

W. D. W.

II 22 27 2
27 4

From 1904
The Chairman,
Bengal City Improvement

To
The Secretary to the Govt.
of the Water Supply & Hygiene
Gen. & Rev. Department

Dated 1st

Despatched 3rd October 1904.

Received

General No. 150
No.

Enclosure No.

Submitting a report stating
the desirability of obtaining the
orders of Government regarding
the transfer of such of the areas
as are now being operated
under the Bengal City
Improvement Reg. of
1903, from the Control of the
Municipal Commission
to that of the Trust Board

File No.

Serial No.

Diary No. of letter replied to 2311

General and Revenue Secretariat

(Muz. C.)

, the

190 .

Date of issue 19/11/04Signed by M. Ramanibl
7-11-04No (4154)-205-2
but

Encl 7/19/04

To

The President of the
Mysore City Municipal
Commission.

Chavannur's letter No 150
of the 18th Feb. 1904, re
requesting that the areas
a notification may be
caused to be issued vesting
the localities which are
being dealt with by the
Trust Board under
the control of the said
Board

~~As per~~ Has the
honour to forward
herewith ~~for opinion~~

over.

SUBJECT.

Calls for the opinion of the Municipal Bd as
to the conditions on which the areas under operation
by the Trust Board may be vested in the latter
control

~~of the Department of~~
~~Internal Security~~

copy of the Chairman
letter referred to above

and to request the President to be good enough to

By order please the matter before

[Signature]

Secretary

5/15/04

83
5/11/04

the Board & submit
a copy of their resolution
with a report as to the
conditions in which
the ~~proposed~~ location
referred to may be reached
in the control of the
Trust Board.

[Signature]
10.7.04

List of enclosures

[Signature]
11.11.04

Copied by *[Signature]* 17/11/04

Entered by

Entered by
[Signature]
17/11

Entered by
[Signature]
18/11

22.F.205-2 (3)
24412

4

No. 115

THE CITY MUNICIPAL OFFICE,
MYSORE.

Dated the 4th January 1905

From

M. Nanda Rajah Esq.
P. A.
PRESIDENT, CITY MUNICIPAL COMMISSION,
MYSORE.

To

B. K. Venkataswami Sanyal Esq.
SECRETARY TO THE GOVT. OF MYSORE;
REV. & GEN. DEPTS.

Sir,

With reference to your letter
no 4154-205-2 dated the 19th ~~instant~~ ^{November 1904} forward-
ing for opinion of the Board, copy of letter
X no 150 dated 1st October 1904 from the Chair-
man of the Trust Board for the improve-
ment of the Mysore city in re-vesting the
localities which are being dealt with by the
Trust Board under the control of the Trust
Board, I have the honor to forward

5
forward ~~him~~ with a copy of the resolution of the Board on the subject and to request that you will be so good as to obtain and forward, from the Chairman, a copy of the resolution of the Trust Board, upon which his letter is based for the information and consideration of the Municipal Board.

I have the honor to be
Sir,

your most obedient servant


Chas H Dorr
Dor President

Vol. F. 205-2 ③

6

Proceedings of the Sydney City Municipal
Board, dated 22nd December 1904.

x

x

x.

XV

Docket no 4154-205-2 dated 19th
November 1904 from the Government
Secretary forwarding for opinion. Copy of
letter no 150 dated 1st October 1904 from the
Chairman, in re. vesting the localities
which are being dealt with by the Trust
Board, under the control of the Trust
Board.

Resolved that the letter of
the Chairman being not quite clear, Govern-
ment be requested to obtain from the Chair-
man, a copy of the resolution upon which
his letter is based, before the Board can
consider his proposal.

x

x

x

Copy.

(22) M. Xantaras
President

M. Xantaras
for President

125

1904.

From

M. S. Subbaraja Urs Esq
PRESIDENT, CITY MUNICIPAL,
COMMISSION,
MYSORE.

W 22/5/105

To

S. K. Venkataswamy
 SECRETARY TO THE GOVT. OF MYSORE.
 REV. & GEN. DEPTS.

Dated

Despatched

Received

4 January 1905

General No. 115
No.

Enclosure No.

Requesting to ask the
Chairman of the Trust Board
to send copy of his Board's
resolution upon which he ad-
dressed ~~Four~~ ^{four} ~~something~~ ^{being}
the localities which are ^{being} ~~are~~
with by the Trust Board, may
be transferred to the Control of the
MGOPB-2,000-6-7-02. ~~Said Board~~

G.R.S. 26]

284

7

File No. 205-27

Serial No 4

Diary No. of letter replied to 442.

General and Rev. Secretariat

()
the 190

To

No. 7520
to (205-27) - 4
27/4/05

The President of the City
Municipal Commission
Mysore

Date of issue 27/4/05

Signed by S. H. Ramanya

Dated February 1905
His letter no: 115 dated
the 4th January 1905 requesting
for a copy of the resolution of
the Mysore City Improvement
Trust Board regarding the transfer
of each of the areas as are
being dealt with by the
Trust Board, from the Control
of the Municipal Commission.

With reference to the above
has the honour to request
the President to be good
enough to obtain the required
order.

SUBJECT.

8

information from the Chairman
and to submit at an early date,
the report called for in this
office docket no. 4154-205-2
dated the 19th November 1944.

8

By order

1/11/45

Secretary

0-8724

83

18/2/05

List of enclosures,

Copied by *[signature]*
Examined by *[signature]*

D162 *Ind. F. 205-2* *(5)*

No. 1

THE CITY MUNICIPAL OFFICE,
MYSORE.

Dated 4th.. July. 1908.

From

H. H. Sparkes. Esqr.

PRESIDENT, CITY MUNICIPAL COMMISSION,
MYSORE.

To

B. K. Venkataswamy Iyengar Esqr.,

SECRETARY TO THE GOVT. OF MYSORE,
REV. & GEN. DEPT.

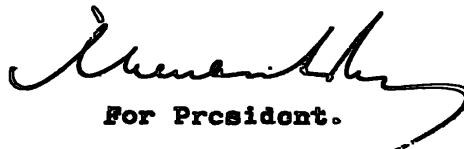
Sir,

With reference to your docket No. (4154)-205-2 dated the 19th. November 1904 forwarding a copy of letter from the Chairman of the Trust Board for the Improvements of the Mysore City with a request to obtain the opinion of the Board as to the condition on which the localities now under the operation of the Trust Board may be vested in its control, I have the honour to forward herewith a copy of the resolution of the Board on the subject.

I have the honour to be

Sir,

your most obedient servant


For President.

10

Extract from the Proceedings of the Mysore City Municipal Board, dated the 24th. June 1905.

II Docket No. (4154)-295-2 dated 19th. November 1904 from the Secretary to the Government forwarding a copy of letter from the Chairman of the Board of Trustees with a request to obtain the opinion of the Board as to the conditions on which the localities now under the operation of the Trust Board may be vested in its control.

Resolved that the areas now under the operation of the Trust Board, be vested in the said Board it being incumbent on them to maintain the roads in good condition during the period of their operations.

(Sd) C. Venkata Rao

For President.

Copy


For President.

18/10

File No.

Serial No. 6

Diary No. of letter replied to

162

Proceedings of the Government of His Highness
the Maharaja of Mysore.

GENERAL AND REVENUE
SECRETARIAT.
(Mysore)

Read.—

, the 190
Date of issue 20/9/05 17.10.05

Signed by

Not Drainage area.
Not Drainage area
Hige gud.
Idga Extension on
Jalapur Extension

Letter No 150 of the 1st
October 1904 from the
Chairman of the Board of
Trustees for the Improvement
of the City of Mysore Soli-
citing that a notification
issued vesting
in the Board of Trustees the
marginally noted areas
in which the sanitary im-
provements are being carried
out by them.

2. Letter No 1 of the 4th
July, 1905 from the President

over

SUBJECT

Orders the transfer of the localities in which the
sanitary improvements are carried out by the Board to the
control of the Board under Section 24 of the Mysore City
Improvement Regulation.

of the Mysore City Municipal
Council Subcommittee, as called
for in the Office docket
No 4154 of the 17th
Dec (1905.02)-2
November 1904, copy of
a resolution of the 21st
June 1905 of the Municipal
Council to the effect that
the areas referred to may
be vested in the Board
of Trustees, it being in-
cumbent on them to
maintain the roads in good
condition during the period
of their operations

Order thereon No ³⁸⁴⁵⁻⁷~~4154~~-6. 9/13/1905

Under Sec 24 of the
City of Mysore Improve-
ment Regulation III of
1903, Comr are pleased
to order the transfer
of the localities above
referred to to the Board

paying the cost of their
 return to a. c. and a. d. d.
 at J. P. No 1923/5 of the
 ml (630-02)-5
 24 August 1905

19.9.1905

83
 19.9.1905
 The Chairman of the B.S.
 of Trustees for the Temple
 of the City of Mysore.
 Pres. of the Mysore
 City Municipal Council
 & Comptroller

19.9.1905

2
 19.9.1905
 The Chairman of the B.S.
 of Trustees for the Temple
 of the City of Mysore.
 Pres. of the Mysore
 City Municipal Council
 & Comptroller

19.9.1905

19.9.1905

